

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JAN - 3 2006
DAVID J. MALAND, CLERK
BY
DEPUTY _____

MILDRED ROSS, as next friend of
LE'SHEA KENNIMER, a minor, BRIAN
KENNIMER, a minor, and KAYLA
KENNIMER, a minor

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V.

KIA MOTORS CORP. and KIA
MOTORS AMERICA, INC.

CASE NO. 4:05CV381
(Judge Schell/Judge Bush)

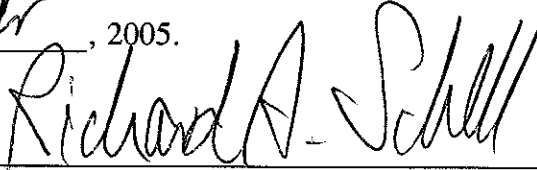
MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On December 9, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that Third Party Defendant Tanya Kennimer's Rule 12(b)(6) Motion to Dismiss Third Party Complaint be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

ORDERED, ADJUDGED and DECREED that Third Party Defendant Tanya Kennimer's Rule 12(b)(6) Motion to Dismiss Third Party Complaint is **DENIED**.

SIGNED this 29th day of December, 2005.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE